

# Survival At Risk: Evaluating Refugee Policy Towards Survivors of Sexual and Gender- Based Violence

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## List of Abbreviations

**AU:** African Union, formerly known as the Organization for African Unity

**CEDAW:** Convention on the Elimination of All Forms of Discrimination against Women (1979)

**GCR:** Global Compact on Refugees

**ICJ:** International Court of Justice

**ICTR:** International Criminal Tribunal for Rwanda

**ICTY:** International Criminal Tribunal for the former Yugoslavia

**IDP:** internally displaced person

**IGO:** intergovernmental organization

**IO:** international organization

**IPV:** intimate partner violence

**LGBTQ+:** lesbian, gay, bisexual, transgender, queer, and all other sexualities and gender identities

**MENA:** Middle East and North Africa

**MOHRAU:** Men of Hope Refugee Association Uganda

**NGO:** non-governmental organization

**OAU:** Organization of African Unity, now known as the African Union

**PRS:** Protracted refugee situations

**SGBV:** sexual and gender-based violence

**SOGI:** sexual orientation and gender identity

**TVEP:** Thohoyandou Victim Empowerment Programme

**UDHR:** Universal Declaration of Human Rights (1948)

**UN:** United Nations

**UNHCR:** United Nations High Commissioner for Refugees

**UNSC:** United Nations Security Council

**UNSCR:** United Nations Security Council Resolution

**WPS:** Women, Peace, and Security

**WRC:** Women's Refugee Commission

## **Abstract**

Today, the United Nations High Commissioner for Refugees estimates there are over 100 million people displaced from their homes, which represents 1% of the global population (UNHCR Canada 2022). Given this, it is clear that refugee protection remains an important facet of the international refugee policy framework. This paper explores this policy framework in the context of sexual and gender-based violence faced by refugees and attempts to uncover the gaps in current refugee protection policies and related programs. This paper does so by applying a critical feminist stance, engaging in a synthetic analysis of current international refugee policy, and examining case studies in Europe and Africa. This paper posits that there are significant constitutive, structural, and material gaps in the protection of refugee survivors of sexual and gender-based violence that result in an overburdened international protection system that fundamentally underserves survivors of this form of violence. Two sets of recommendations are offered: one to international leaders and policymakers that are aimed at shifting the policy structure that is currently protecting (or failing to) refugees, and the other to international organizations, who can make changes to their on-the-ground programs and operations in order to better serve survivors and close the policy gaps in this area.

## Chapter One: Introduction

Over the past decade, the international community has seen an immense number of refugee migration, resulting in over 100 million people, or 1% of the global population, displaced in 2022 (UNHCR Canada 2022). According to the United Nations High Commissioner for Refugees (UNHCR), this population of 100 million individuals have been forcibly displaced as a result of “persecution, conflict, violence, human rights violations or events seriously disturbing public order,” (UNHCR Canada 2022; UNHCR 2020, pg. 2). Of this enormous figure, around 26.4 million were refugees, having fled their country of origin seeking safety (UNHCR 2020, pg. 2). Armed conflict, political repression, or a combination thereof, have acted as massive push factors, displacing millions of individuals within their respective countries and beyond their borders, and leading to a growing number of refugees. These movements have been intensified by persistent conflict, continuous media coverage, and political controversy in destination countries, resulting in matters of refugees becoming a central issue in both foreign and domestic political spaces. As we move further into the 2020s, these numbers of refugees show no signs of slowing; in fact, climate change, ongoing conflict, and issues of resource availability will only serve to increase these movement levels, resulting in millions of future refugees.

The reality for many of these forcibly displaced individuals is a period of increased vulnerability, risk, and violence. The precarity of forced displacement can “exacerbate pre-existing risks of violence, vulnerabilities, discrimination, marginalization or barriers to access basic services, assistance and rights,” (UNHCR 2020, pg. 28). Though all forcibly displaced persons face protection problems, there is a unique risk posed to certain groups, given certain

identity factors such as gender, socioeconomic position, and legal status, both in their country of origin and the host country (Edwards 2009, pg. 5). These risks of vulnerability and access are increased drastically for women, children, gender-diverse individuals, and members of the LGBTQ+ community, who, globally, make up the vast majority of both internally displaced people (IDP) and refugees. Over half of the reported refugees in 2020 were children under the age of 18, while 42% of all IDP are children— many of these children are girls, who face heightened vulnerability in various economic and social dynamics due to their age, gender, or other aspects of identity (UNHCR 2020, pg. 3). One particular set of these unique threats can be described as threats of sexual and gender-based violence (SGBV), which is an umbrella term used to describe a distinct type of violence faced by specific populations. Gender-based violence is described by the UN as “violence that is directed at a person on the basis of gender or sex. It includes acts that inflict physical, mental or sexual harm or suffering, threat of such acts, coercion and other deprivations of liberty,” whereas sexual violence, including exploitation and abuse, refers to any act, attempt or threat of a sexual nature that results, or is likely to result, in physical, psychological and emotional harm (United Nations High Commissioner for Refugees 2003, pg. 10). Sexual violence is a form of gender-based violence, but given its prevalence and impact, it is included as a central piece of the definition of SGBV. By combining these two definitions, the inclusive conception of “sexual and gender-based violence” is created to define a host of specific violence against forced migrants.

It is important to note that SGBV is not a type of violence unique to women—men, boys, gender-diverse individuals, and members of the LGBTQ+ community are all at risk of facing SGBV over the course of their lives. The inextricability of racial, gendered, sexual, and class power relations is a central dynamic that plays a role in determining the (in)security and



(in)vulnerability of different refugee groups (Carastathis et al. 2018, pg. 3). For these populations facing this kind of vulnerability, there is little in the way of protection in the face of these threats; most of the programs and services offered to refugees are still developed, implemented, and administered by men, without giving much consideration to the realities of SGBV (Friedman 1992, pg. 66). Though this is changing, with the creation of women-, children-, and queer-focused programming, the ongoing numbers of refugees victimized indicate that these programs, though well-intentioned, are less than effective (Anani 2013, pg. 77-78). It is from this understanding of the realities of violence against refugee populations, SGBV in particular, that this paper begins its analysis.

The research questions that guide this analysis are: What are the current policies and related programs in place that are aimed at addressing the response and prevention of SGBV in refugee communities? Are these policies and programs effective at responding to and preventing instances of SGBV? What changes need to be made to these policies and programs in order to improve their response to and prevention of cases of SGBV and better protect vulnerable refugees? It will be argued that the current policy regime and programs in place to address SGBV in refugee communities fails to adequately protect the victims and survivors of this violence, and that changes must be made to this framework in order to adequately protect these populations. By applying a critical feminist lens to the issue of SGBV in refugee populations, it can be understood how the various gender inequalities based on political, economic, and social structures have an impact on the perpetration of violence and the efficacy of policies and programs in place that are aimed at preventing and protecting refugees from this violence.

The goal of this paper is to understand the reality of SGBV in refugee populations, identify the gaps that exist between the current policies and programs in place and their ability to

protect refugees and prevent instances of SGBV, and provide possible ways forward to remedy any potential gaps. The second chapter of this paper will begin with a brief overview of the historical context and review of the current literature that informs the area of gender and migration studies. Chapter three will provide an overview of the critical feminist stance that will guide the understanding and analysis of this issue. Chapter four will lay out the research methods that have been utilized during the research and analysis of this paper, followed by an in-depth analysis of the current policy schemes in place to respond to refugee SGBV in chapter five. Chapter six will analyze the case studies of Ugandan refugee camps and Syrian refugees in Greece in order to understand how, in practice, these policies and programs are succeeding or failing, and where the gaps in protection and response to SGBV lie. Chapter seven will outline recommendations of a way forward for the international community in the context of refugee SGBV, focusing particularly on the common trends and key elements that represent the current gaps in the refugee SGBV policy and program framework. Finally, chapter eight will offer concluding remarks, tying together all the elements of this analysis and suggesting future paths of scholarship.

## Chapter Two: Literature Review

### 2.1: Refugee Studies, Gender, and SGBV

The significant human population migrations that happened in the 20th century as a result of two World Wars and numerous other geopolitical conflicts led to an understandable boom in the field of refugee studies. After World War II, with the advent of the United Nations, a dedicated body was set up to deal with issues of forced migration and refugee camps/settlements specifically: the United Nations High Commissioner for Refugees (UNHCR). This development led to an increase of refugee studies produced, particularly on the realities of refugee camps that remained after the World Wars and the subsequent conflicts in places like Israel, Korea, and Vietnam (Chimni 2008, pg. 14). In the 1960s and 1970s, the field saw scholars increasingly focused on questions of assimilation, race and ethnicity, and gender, as a result of ongoing revolutions like decolonization, second-wave feminism, and the civil rights movement (Pisarevskaya et al. 2020, pg. 457). The conceptual question of who is considered a refugee was a central question throughout this period, a discourse that will be further elucidated in chapter 3.

The 1980s saw the development of refugee and forced migration studies as a unique branch of the broader migration studies tree, constituting a cultural and humanitarian turn in the field (Chimni 2008, pg. 14). This evolution reflected the broader shifts in social science, which was developing areas of critical subject studies and beginning to place more emphasis on the importance and usefulness of the qualitative aspects of research (King 2012, pg. 24). This epistemological shift is described by King as turning away from theorizing on the causes of migration, and instead focusing on enriching our “understanding of the migrant experience,” (pg. 25). This more human-centred approach was effective at producing more knowledge on the lived

experiences and the cultural aspects of refugee realities— a perspective that had been largely left out of the demographically-dominant, quantitatively-focused studies that had preceded this shift. The late 1980s also brought forth a number of studies that sought to understand non-European refugee issues from non-European perspectives, such as the challenges to refugees in Palestine (Elie 2014, pg. 25). Although the field still remained rather white and Western, this demonstrates the beginning of an effort to include alternative voices to the field of study—particularly through the centering of refugee experiences and voices in research.

The 1990s were a period of continued expansion, maintaining the momentum from the boom of research activity in the 1980s. In this period, a significant amount of research built on the blossoming areas of interdisciplinary research of the 1970s and 80s, such as gender, sexuality, ethnicity and race, transnationalism, and media and migration (Pisarevskaya et al. 2020, pg. 472). Internationally, the 1990s were an extremely important period of time with regards to refugees and major instances of sexual and gender-based violence. The Rwandan Genocide and the break-up of former Yugoslavia instigated the displacement of millions of citizens, both internal and externally. Both conflicts resulted in their own respective ad hoc tribunals (ICTR and ICTY), where the realities of war-time and post-conflict sexual violence were exposed through brave testimony, resulting in major convictions for sexual violence and an alert to the world of the massive threat of SGBV towards refugees and IDP (Askin 1999, pg. 98). There had been information produced on SGBV affecting populations in conflict and in post-conflict communities, like refugee camps, prior to the ICTR and ICTY in the 1990s, such as post-WWII and in the aftermath of the Korean and Vietnam wars, but this modern account was both incredibly widespread and brutal, and came at a time where the field was willing and able to begin exploring this violence in earnest. The twenty-first century saw a turn from the narrowly-

defined refugee studies to a more expansive understanding of refugees, forced migration, and other integrated issues, with the development of an international association, university degrees, and major journals focused on refugees and forced migration (Chimni 2008, pg. 17). There was a significant increase in research in the area of refugee sexuality, gender, and health, which, prior to this, had not been as much of a unique area of study.

The field of refugee and forced migration studies, during the 2010s and up to the present, has continued to develop sub-fields, like race, ethnicity, and gender, and integrate these sub-fields across disciplines to continue building a robust and interdisciplinary field of study (King 2012; Carastathis et al. 2018; Nestorowicz and Anacka 2019; Pisarevskaya et al. 2020). There has been a notable internationalization of the field, with scholars from all across the Global North and South now publishing on issues of migration studies and developing a marked non-Western perspective in the field (Pisarevskaya et al. 2020, pg. 478). The academic study of refugees and their various approaches to migration shows little signs of slowing, as major movements from South America, Africa, and the Middle East took centre-stage in international and domestic politics throughout the decade. Intensive media coverage, particularly over the course of the 2015-16 migrant ‘crisis’ and in the lead up to the 2018 United States midterm elections regarding the ‘migrant caravan,’ turned these perilous movements into political talking points and election fodder (Georgiou and Zaborowski 2017, pg. 3; Fabregat et al. 2020, pg. 204). The mainstreaming of refugee movements has both helped and hindered the field; increased attention serves to connect more resources with those refugees in need, but also increases polarization and antagonism for those who oppose the welcoming of refugees (Toudert 2021).

The 2015-16 refugee ‘crisis’ in Europe was a watershed moment in international politics, as well as in the field of forced migration, effectively ushering the world into a new era of

understanding forced migration. Many scholars have been critical toward the notion of the ‘refugee crisis’, questioning the legitimacy and political framing of its designation as a crisis (Agustín and Jørgensen, 2019, pg. 2). This period of refugee movement has thrust the ongoing issues experienced by refugees into the spotlight once again, highlighting the continuing lack of security, services, and solutions. Even more recently, the war in Ukraine has displaced a large demographic of Eastern Europeans from their homes and driving them to seek safety across the continent in search of safety. This forced migration has been incredibly illuminating regarding who is generally understood to be a refugee, with continuous racism and xenophobia being perpetrated throughout Western media channels (Bajaj and Stanford 2022, pg. 1). Forced migration is a phenomenon that, like its factors of causation– war, persecution, lack of resources– shows little sign of slowing as we move into the 2020s and beyond.

Though the broader field of migration and refugee studies has been around in earnest since before the twentieth century, the application of a gendered lens to migration studies was not present in the field until the boom of interest in migration studies in the 1970s (Naywn 2010, pg. 750). The second wave of feminism in the 1960s and 1970s acted as a catalyst for many different fields to begin understanding the gendered aspects of their study and how these differences may intersect with the dynamics of their respective fields (Gumport 2002, pg. 14). This early period of understanding the intersection of gender and migration was called the “add women and stir” approach, limiting the analysis of the role of gender in migration to “an individual-level analysis of differences between women and men, using a binary variable of male versus female to measure gender,” (Hondagneu-Sotelo and Cranford 2006, pg. 105; Naywn 2010, pg. 750). Into the 1980s and 1990s, scholars began focusing more on gender as a system of relations and dynamics that interacts with migration, rather than a simple binary trait, which

allowed for a better understanding of the gendered experiences of migration (Morokvasic 1984, pg. 882). Through the 1990s and 2000s, research around gender and migration shifted to begin looking at gender as a “constitutive element of migration,” understanding that the world is built from gendered relations and institutions, and that these dynamics are played out through various micro- and macro-level processes (Hondagneu-Sotelo 2003, pg. 4). This work became increasingly interdisciplinary, with connections being drawn across academic fields and regions, resulting in a cross-pollination of ideas that has been sorely missing from this field. In particular, this work sought not only to understand the experience of migrating women, but also the unique experiences of gender non-conforming migrants, LGBTQ+ migrants, and the gendered impacts on men who are forced to migrate. While the exploration of gender as it relates to forced migration has developed as a sub-field of migration studies for over 50 years, the study around sexual and gender-based violence has been less even and more peripheral.

Research on sexual and gender-based violence originated in the study of violence against women in approximately the 1960s, just as the second wave of feminism was beginning. Prior to this, domestic violence was seen as an issue that was between man and wife (and, at times, children), relegated to the private sphere. Around the time that SGBV began to gain traction, a doctor wrote of the surge in interest regarding violence against women, “This has not been because of the growing concern of our profession, rather it has been forced upon us by the women’s movement,” (Symonds 1979, pg. 161). Early research in this area was largely focused on the health impacts of violence against women— including physical, mental, and emotional consequences for the victims and their families. This period of early study operated under the assumption that such violence was exclusive to heterosexual marriages, where the man was the abuser and the women (and children) the victims (Heise et al. 2002, pg. S5).

As this area of research grew, data began to illuminate the nuances of the violence; women were not the only victims, and race, class, and sexual and gender identity had significant impacts on who was experiencing violence. According to a social work researcher, “[Y]ears of deepening research and advocacy have uncovered the prevalence and gravity of gender-based violence. However, often missing from our research and analysis of gender-based violence is its connection to other interlocking and mutually reinforcing systems of oppression, power and inequity,” (Gill 2018, pg. 559). As this area of study began to expand its understanding of violence, victimhood, and perpetration, and instances of conflict in which sexual violence was put to systematic use were displayed throughout the 1990s, scholars turned their attention to the role that sexual and gender-based violence played during and post-conflict (Ward and Vann 2002, pg. s13). This resulted in increased attention and research in the field of conflict studies and forced migration, with a particular focus being paid to the roles that states, IGOs, and NGOs must play in the prevention of and response to SGBV.

It was at this time, around the year 2000, that UN Resolution 1325 was passed, which called on the international community to address the specific needs of women and girls in (post-)conflict situations, support local women’s peace efforts, and protect the human rights of women and girls (Kreft 2016, pg. 135). The result of this resolution and subsequent ones that built on the major ideas of 1325 is a slow but ongoing expansion of SGBV awareness and response activities, including increased scholarship and attention from NGOs, IGOs and national governments. Currently, although attention has been drawn to the realities of SGBV victims and survivors, it still remains a hidden aspect of many refugee situations and fails to account for the wide variety of survivors that can experience this violence. The refugee movement from the Middle East into Europe in 2015-16 highlighted the fact that “far less attention has been paid to other forms of



violence and insecurity which refugees experience, and in particular the many forms of gender-based violence (GBV), including sexual violence, experienced by women refugees,” (Freedman 2016, pg. 18). In 2018, the Nobel Peace Prize was awarded to Nadia Murad and Denis Mukwege for “their efforts to end the use of sexual violence as a weapon of war and armed conflict,” (Ozcurumez et al. 2021). This focus continues to push forward the scholarship regarding SGBV, with the goal of continuously ameliorating the policies and programs that are in place to prevent its occurrence and protect those that may find themselves victimized.

Although feminist and gender analysis lenses are increasingly present in refugee scholarship, there remain areas for improvement that scholars within the field are exploring. One key issue is that of how the issue of SGBV is conceptualized, given its complexity within refugee settings. This concept has received increased attention over recent years, which has resulted in questions arising regarding the efficacy of this concept, given the complexity of SGBV in refugee situations. Researchers from universities in Turkey and Sweden conducted a review of literature published by scholars, NGOs, and IOs between 1993-2018 regarding SGBV and forced migration. The review found four key characteristics that pointed to the need for an advancement of the conceptual clarity of SGBV (Ozcurumez et al. 2021, pg. 68). These four gaps include the emphasis on the experiences of women; the causes and consequences of physical violence as opposed to structural or symbolic violence; an overlooking of SGBV in the context of resettlement; and the discussion of overly-general response policies rather than a comprehensive prevention and response strategy (2021, pg. 68-69). The proposed solution by these researchers to these issues of conceptualization include going “beyond essentialist and structuralist depictions” of SGBV in forced migration and instead adopting a constructivist approach that aims to understand SGBV through structural, process-oriented, and integrated

lenses (2021, pg. 75). This study also suggests a need for a broader approach to studies of SGBV in forced migration, expanding the geography, timeframe, and context of these studies so as to better grasp this violence in a nuanced light, understand the role that policy and programs play in the prevention, or lack thereof, of violence, and “move beyond binary perspectives” of survivors and perpetrators (2021, pg. 75). As the field of literature concerning gender, SGBV, and refugee continues to grow, these issues will no doubt be considered and addressed, resulting in a more effective, applicable field.

As evidenced throughout this chapter, history and scholarship have woven together to result in the current research and understanding on gender, SGBV, and refugee studies. The field grew from refugee movements in the early century and accelerated following WWII. The establishment of the UNHCR represented the beginning of the international period of refugee policy and research, while subsequent movements (like decolonization and second-wave feminism in the 1960s-70s) and conflicts (like Rwanda) pushed an expansion of the field of refugee studies, resulting in a growing understanding of matters of gender and refugees and SGBV. Major movements of refugees throughout the 1990s and early twenty-first century have reconfirmed the importance of understanding refugee movements and issues of forced migration— particularly, in this case, the challenge of SGBV in refugee situations. Though the field has progressed significantly, there remain areas for improvement that will aid in accounting for the complexity of refugee movements and SGBV. The following chapter will attempt to address some of this complexity by offering a discussion of conceptual and theoretical frameworks.

## Chapter Three: Conceptual and Theoretical Framework

### 3.1: Conceptual Framework

Before analyzing the current policy and programming realities of refugees and those facing sexual and gender-based violence, a fulsome definition must first be developed. The most widely accepted definition of refugee (the origin of which will be further discussed in subsequent sections) can be found in the 1951 Refugee Convention, which states that a refugee is an individual who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country,” focusing particularly on events in Europe taking place prior to January 1, 1951 (UN General Assembly 1951). As will be discussed, this definition does not capture the global reality of a refugee— who is a refugee, where refugees are in the world, and what forces drive the creation of refugees. This particular definition is critiqued for being a product of the post-WWII times, where the understanding of refugees by the international community was focused on Europe almost exclusively. This definition poses a challenge, especially in international law, as it remains the pre-eminent definition of refugee at the UN-level.

The 1951 Convention definition, however, is not the only widely-recognized and legally accepted definition of refugee. A notable regional definition of the term “refugee,” and one that will be adapted to serve the purposes of this paper, comes from the Convention Governing the Specific Aspects of Refugee Problems in Africa by the Organization of African Unity (OAU, now known as the African Union (AU)) in 1969. This definition holds that a refugee is someone who, “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality,

membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country,” while also applying to those who, “owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality,” (Organization of African Unity 1969). This definition better reflects the perspectives of nations in the Global South, who find themselves facing generalized violence and refugee-creating situations as a result of colonial and imperial violence. For this paper, this more expansive and applicable view of the concept ‘refugee’ will be adopted, taking after the OAU/AU definition in its broad view of drivers of refugee movement and globality of refugee situations.

Another important set of concepts in this analysis is forced migration and a forced migrant. Forced migration is a general term that describes refugees and other forcibly displaced populations, which may be primarily due to war and conflict, but also can be due to political, religious, and other persecution; natural or man-made disasters; development-induced displacement; smuggling and human trafficking; and environmental displacement (Reed 2018). Within this understanding, a forced migrant refers to any population forcibly pushed from their homes or communities due to persecution, conflict, violence, or other emergency events and environmental factors; including both refugees and internally displaced persons. It is important to note that a key difference between a refugee and internally displaced person is whether or not an internationally recognized border has been crossed and thus whether or not international protection is triggered. It is also important to note that these concepts are subjective and socially constructed, relying heavily on the perception of the group in question and whether or not they

fit the commonly held view of a forced migrant (or not), and how understandings of migration, conflict, and persecution evolve over time.

Finally, a central component of this analysis is sexual and gender-based violence, which has had significantly more attention in recent years, especially in the international community. There have been critiques that definitions on SGBV are focused heavily on physical violence against mostly women and girl victims, negating the non-physical aspects of this kind of violence and failing to account for the experiences of men, boys, non-binary/gender non-conforming people, and LGBTQ+ populations (Ozcurumez et al. 2021, pg. 68). For the purposes of this paper, the definition of SGBV will be adapted from a UN document concerning SGBV in refugee populations. SGBV can be defined as any harmful act that is perpetrated against one person's will and that is based on socially ascribed (gender) differences between males, females, and gender non-conforming individuals. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty, whether occurring in public or in private life (UN Division of International Protection 2011). This definition provides a broad understanding of SGBV as it relates to the perpetrators and survivors of this violence, and how it relates to broader structures and systems of belief that ascribe gendered differences.

### 3.2: Theoretical Framework

The theoretical framework that has been chosen for this paper is a critical feminist stance towards refugee policy towards survivors of SGBV. This chapter will lay out the theoretical underpinnings that will guide the understanding and analysis of this paper and the assumptions upon which it rests. The feminist approach that is adopted in this analysis holds that genders do

not form essential, homogenous categories with similar experiences, but are “differentiated by diverse power relations, unequal social positions, and identifications built thereupon,” (Tastsoglou 2019, pg. 6). The focus of this paper is not specifically on the SGBV faced by LGBTQ+ and gender non-conforming refugees, but it must be noted that these groups are disproportionately impacted by SGBV and are often missing from analyses of this issue. This paper adopts the view of gender as a social construct; a collectively constructed set of ideas that fall along spectrums and interact with other identities to form experiences. The historical focus on essentialized “women” in feminist migration approaches has served as an entry point in the analysis of gender issues that might otherwise have been left unexplored, and although the category of “woman” is still relevant, it can be understood as one element of identity amongst many identities that are associated with more or less power (Tastsoglou 2019, pg. 6; Tastsoglou and Maratou-Alipranti 2003, pg. 6). This approach to gender can be summarized using this quote by refugee law scholars, Efrat Arbel, Catherine Dauvergne, and Jenni Millbank (2014):

[This project is] examining gender-related persecution claims of both women and men, including those based on sexual orientation (lesbian, gay, and bisexual) and gender identity (transgender and transsexual). Rejecting the notion that gender is ever essential, innate, or clearly bounded, we strive to examine the conflicting and, at times, paradoxical nature of gender and gender identity in refugee law. We thus look beyond the category of ‘women’ – as it is frequently asserted in the case law – to examine gender more broadly, including male and female experiences of gender-related persecution, and including those based on sexual orientation and gender identity. (pg. 1)

Though this particular statement is focused on gender in refugee law, this approach can be extrapolated to apply to the understanding of refugee policy more broadly. This paper, guided by

this descriptive and experiential understanding of gender and identity, takes a focus on refugees that have experienced violence based on their gender or as a result of gendered aspects of inequality, but understands gender as descriptive categories defined expansively and inclusively.

The second wave of feminism, and subsequent feminist theory, arose in response to the oppression faced by white, formally educated, middle-class women in the first half of the twentieth century. The origin of this thought tradition has either left out marginalized identities—Black women, trans women, poor women, etc., or included them tokenistically; failing to actually respond to issues faced by those who were not white and well-off (Hooks 1984, pg. 2). This includes, as is relevant to this paper, refugees, women and children displaced from their nation of origins, citizens of the Global South, and those who hold a gender identity that does not correspond with prevailing Western notions of gender. This paper thus adopts an intersectional approach to understanding gender and migration; intersecting power relations of race, class, gender, ethnicity, sexuality, age, ability, and nation are compounded to form experiences in a sort of “reciprocally constructed phenomenon,” (Crenshaw 1990, pg. 1244; Tastsoglou 2019, pg. 7; Collins 2015, pg. 2). These dynamics are vital in an effort to understand who and which groups find themselves most vulnerable to SGBV, who is seen as being worthy of protections, and who can— and cannot— access protection and other necessary services.

Embedded in this feminist conceptualization of gender is the concept of power—most forced migration scholarship recognizes the social inequality experienced by refugees, particularly the structural inequalities that result in vulnerability and a lack of opportunity. Feminist forced migration scholars have effectively used critical social theory to question the heteronormativity, masculine privilege, and white supremacy of migration policy and ultimately illuminate power relations in the migration process that would otherwise be invisible (Nawyn

2010, pg. 759). This analytic process is vital to understanding the gaps in the current policy scheme for SGBV; by applying the critical approach of questioning underlying assumptions in the field, it becomes clear where these assumptions fail to accurately capture the reality of forced migration and its gendered components. This approach can be understood as a critical feminist approach, which is how this conceptual framework will be referred to throughout the rest of the paper.

Critical feminist theory has several main tenets that come together to create an effective approach to understanding the power relationships that underlie the social and political structures within communities, both big and small. These key pieces of the theory include the critique of hegemonic social structures—specifically focusing on patriarchy, the idea of “the personal is political,” and the importance of questioning and critiquing the underlying assumptions of dominant ideologies and practices (Braithwaite and Schrodtt 2014, pg. 206). The understanding of patriarchy and how it operates as a hegemonic social and political system is key to understanding the issues regarding refugee policy and programming for survivors of SGBV. In this sense, it is not the nature of the refugees in question that create their own vulnerability, but the system itself that is structured in a way that allows violence and victimization against certain groups to be tacitly accepted as unpreventable. This particular critique—that is, the understanding that the patriarchal system of power creates the conditions under which such violence is possible—will be used throughout this analysis of SGBV in refugee situations in order to understand what systems of power are at play in creating vulnerability and violence.

I would like to acknowledge that I am, in fact, a white, formally educated, middle-class woman, and so all efforts to apply an intersectional lens are done with utmost effort, but a frank and understandable lack of direct experience and knowledge of how matrices of oppression—



gender, race, class, nationality, etc.— interact with one another. I defer to the words of the researchers and survivors themselves as much as I can to avoid speaking on their behalf and/or misinterpreting their meanings and experiences. My hope is that this paper can act as a conglomeration of disparate ideas and create a space for future innovation, rather than come across as a prescriptive and dictatorial work.

The above-outlined conceptual and theoretical frameworks will guide the analysis of the following chapters and offer insight into the challenges of refugee policy and programming for survivors of SGBV from a critical feminist perspective. In particular, the importance of understanding the nuance of concepts such as refugee, forced migration, and SGBV will lend itself to a more in-depth analysis of the various resources used in this major research paper. The following chapter will outline the approach with which the sources informing this paper were gathered, including the specific case studies that will be utilized in chapter six, and offer insight into the reasoning behind these research decisions.

## **Chapter Four: Research Methods**

This paper draws on the currently available research on forced migration and sexual and gender-based violence. The materials used for this secondary research were pulled from various journal and library databases, including the University of Ottawa library database, JSTOR, Taylor & Francis, and Wiley Online Library. Keyword searches such as “forced migration,” “sexual and gender-based violence,” “SGBV,” “feminist migration studies,” “violence against refugees,” and “gender-based violence against refugees,” among others, were used to find the papers that would guide the research and analysis. These search terms were used in order to capture the various elements in this paper without excluding research that may be useful to this paper, but does not fall directly under one of these categories. These terms supported this paper’s goal of contributing meaningfully to the research space of forced migration and SGBV.

The materials selected to serve as the sources to this research paper were chosen based on their date of publishing, relevance to the topic at hand, and quality of empirical data and discussion. The sources highlight the experiences of refugees in forced migration situations, expose the dangers of SGBV in refugee settings, and lay out the current policy regime in place that is aimed at protecting and preventing SGBV. The discussion section of the chosen papers were of particular importance, as they often served to identify the gaps in policy of the current framework, which is an integral part of this research paper. A strategy of “footnote chasing” was employed throughout the research process in order to identify the original sources of various ideas and ensure that these ideas were being portrayed accurately, particularly in the course of the literature review.

Many of the studies and articles employed in the research paper are qualitative in nature and span various disciplines, including sociology, psychology, gender studies, international relations, and geography. Given the diversity of research in the field of forced migration, papers and studies from across this academic spectrum were selected and included in this analysis so as to provide an in-depth understanding of the wide variety of factors that influence the gendered aspects of forced migration and SGBV. Additionally, the studies regarding the nature and implementation of refugee policy at the international level included in this paper span several decades, which allows this analysis to account for the evolution over time of prevailing norms and approaches to refugee policy and protection. This also allowed for an understanding of how concepts, specifically the legal definition of ‘refugee,’ has evolved over time. It is important to note that a vital component of understanding SGBV in the refugee context is exploring the experiences of LGBTQ+ and gender non-conforming refugees; although I will touch on this element in the case study, ultimately it is beyond the scope of this paper and thus will not comprise a major element of this analysis. Another important aspect governing issues of SGBV in forced migration is that of domestic policy; again, although that is an important aspect, it is ultimately beyond the scope of this paper, which has chosen to focus exclusively on the international aspect of policy.

The selection of South Sudanese refugees in Uganda and Syrian refugees in Greece as case studies is based on the high refugee population, quantity of studies concerning SGBV in their refugee populations, and focus by international policymakers on the national policies these cases. Additionally, these two cases are from different geographic areas, which allows for different cultural and regional contexts to come into play in the effort of understanding the successes (and failures) of the policy regimes. Uganda offers an excellent look at the operation of

refugee settlements and how policy is applied in a settlement setting, and has been a locus of innovation around protection, prevention, and support services. The refugee population in Uganda is large— approximately 1.5 million refugees are settled in the country, with a large proportion of this population (approximately 90% of refugees) residing in settlements in the northwest region of the country (Office of the Prime Minister, UNHCR, and Government of Uganda 2022; Liebling et al. 2020, pg. 1686). The Ugandan case offers a good opportunity to understand the efforts underway to stem SGBV in protracted refugee situations (PRS) in a country that has a long history of admitting refugee populations. The case of Syrian refugees in Greece explores a different but vital perspective on the issue of SGBV. Since the influx of arrivals to Europe from Syria in 2015-2016, several countries in Europe have admitted a large proportion of new arrivals, including Greece, Italy, and Germany. Many Syrians arriving in Europe choose to settle in major European cities, which creates new challenges for organizations tasked with the prevention and protection against SGBV. Given the distribution of refugee populations across the continent, this case study will offer an interesting look at various efforts to support survivors in both camps and urban settings in Greece.

## **Chapter Five: Refugee SGBV Policy Analysis**

### **5.1: Origins of International Refugee Policy**

This section will lay out the origins of the international refugee policy regime. The starting point for this policy framework is the 1951 Convention Relating to the Status of Refugees, hereafter referred to as the 1951 Refugee Convention. This document was the first to offer the global definition of a refugee and set out the rights of asylum seekers and responsibilities of asylum-granting nations, building on the 1948 Universal Declaration of Human Rights (UDHR) and coming into force in 1954. The 1951 Refugee Convention is the cornerstone of the existing international legal framework for refugee protection, but that is not to say that it does so effectively and universally— in fact, there are several significant and persistent issues woven into the fabric of this document.

A first major challenge of this document is that at the time and context of its writing, post-World War II, the prevailing understanding of a refugee was that of a European resident fleeing the immutable impact caused by an ongoing interstate conflict. This was, understandably, a response to the massive flow of Europeans fleeing war, but also demonstrated that the present international regime was less concerned with forced displacement happening in other places in the world; notably, in countries that had been colonized or were facing imperial control. Initially, the 1951 Convention was both geographically and temporally-bound to only include refugees from WWII within the continent of Europe. States that were party to this convention were able to make a declaration that the provisions of this legal framework would apply to asylum-seekers from outside Europe, but this was not a necessity, and thus left many new refugees completely void of legal protection during their migration. This discrepancy between who can be and who

cannot be considered a refugee was baked into the founding document of the international refugee system, and remains an ongoing challenge, as the understanding of refugees often fails to account for the evolving push factors (like environmental factors) of forced migrations and those who are most vulnerable to becoming refugees.

From its roots in colonial/imperial attitudes and its prioritization of ‘the West’ over ‘the Rest’ to the exclusion of gender, sex, and sexuality as bases for persecution, the 1951 Refugee Convention fundamentally excludes gender and sexuality from protection (Krause 2021, pg. 599; Valji 2001, pg. 25). The grounds for persecution that are included in this document are: “race, religion, nationality, membership of a particular social group or political opinion,” (UN General Assembly 1951). Notably, any reference to gender and sexual orientation are absent, which results in a structural gap that leaves refugees facing violence on the bases of those identities vulnerable. Although it begins with the 1951 Refugee Convention, the lack of attention to specific identities and relations, such as gender, is a prevailing theme through international policy documents governing the refugee system, from its establishment through to the present day, creating a structure that upholds and perpetuates inequality and vulnerability for specific groups, including women, girls, and members of the LGBTQ+ community. This theme is one that is carried through the lattice of legal documents that come together to create the modern refugee protection framework.

The next legal document that is added to this framework is the 1967 Protocol Relating to the Status of Refugees. This protocol removed the time limits and geographic limitations that were built in the 1951 Refugee Convention, opening up the legal process and protection of refugee status to citizens of all nations. This Protocol grandfathered in any declarations made by states regarding the applicability of the original 1951 Convention to refugees from outside of

Europe, resulting in a much more comprehensive framework that was applicable across continents and time (UN General Assembly 1967). This legal document unsurprisingly failed to add sex, gender and gender expression, and/or sexuality as bases for persecution (and thus protection), continuing the trend of structural inequality and systemic lack of account for gender in the foundation of the refugee system.

The 1951 Convention and the 1967 Protocol are the two key documents that alone form the entire foundation of the modern refugee program— without any of the following documents, resolutions, and treaties that will be discussed here, the refugee system would likely function fairly similarly today as it did when initially conceived post-World War II. This is why the exclusion of gender, sex, and sexuality is such a massive challenge to the protection of women, children, and LGBTQ+ refugees— even with all of the subsequent documents that attempt to emphasize the reality of these marginalized identities on the international stage, the founding documents of the entire system fail to include gender as a grounds for refugee status, and thus the structure of the system is built with little to no consideration for the unique challenges that these groups face.

Additionally, there are broader challenges enveloping the entire United Nations framework that are also at work in the UNHCR and refugee protection field. One major issue that the legal refugee framework faces is the absence of an enforcement mechanism— currently, the UNHCR has supervisory responsibilities over the provisions laid out in the 1951 Convention and 1967 Protocol, but does not have any ability to enforce the provisions under these legal documents (Fitzpatrick 1996). There is also no official route or mechanism through which someone can lodge a complaint if they find that the guarantees that are extended to them under these legal conventions were not respected (1996). Should a refugee find themselves in this

position, they have several options: they can complain to the International Court of Justice, the UN Human Rights Committee, or compel a nation to levy sanction against violators; however, none of these avenues have ever been utilized by refugees facing violations of their rights (Takahashi 2002, pg. 54). Current consequences are largely limited to public shaming and official condemnation of violators; an approach that may make it clear where nations stand on the protection of refugee rights, but does very little to *actually* protect the rights of refugees under this current framework.

As mentioned, the 1951 Convention and 1967 Protocol are the key documents responsible for sketching the outlines of the current international refugee program, there is a network of other international treaties, conventions, and UN Security Council Resolutions that lend themselves to the refugee protection framework, which will be further explored below. The most relevant of these secondary documents is the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was created in 1979 and came into effect in 1981 (Raday 2012, pg. 512). CEDAW recognized the need to develop special measures to address inequality between men and women. Although this Convention was not directly aimed at the protection of refugees, several articles in the convention overlap with areas of concern in the field of refugees and SGBV, such as Article 6 that calls on states to take all appropriate measures to suppress human trafficking and exploitation and Article 16, which prohibits discrimination (in essence, gender-based violence) against women in marriage and family matters (UN General Assembly 1979). CEDAW was a significant shift in the tides of the international community, moving away from an “add women and stir” approach to starting from a position of understanding that gender fundamentally impacts life circumstances and challenges. This Convention remains a vital component of the international push towards fully realizing women’s



rights as human rights and achieving gender-mainstreaming, which has a positive spillover effect into the field of refugee protection. CEDAW, despite its commitment to women globally, is still plagued by significant issues.

Under CEDAW, all responsibilities for protection fall to states that are party to the convention. This is an issue across many UN Conventions, with the UN powerless against the sovereignty of nations, while also being unable to assert any level of enforcement. This presents an issue to women outside their country of origin, refugees or otherwise— without citizenship, how will these vulnerable populations be able to access protection? If you are outside your state of origin, as a refugee or otherwise, are you entitled to protection by the state against SGBV? No special provisions are made in CEDAW to account for the exceptional case of refugee or non-citizen women, compounding their vulnerability and effectively shutting them out from any state-based protection. This furthers the critical feminist understanding of power relations creating situations in which the structure of the patriarchal system fundamentally disenfranchises certain groups, such as non-citizen women. Additionally, CEDAW notably excludes all mention of sexual and gender-based violence, which seems to be a glaring omission from a Convention aimed at protecting women from discrimination. This results in the responsibility for prevention of and protection against SGBV falling entirely to states, which reiterates the issue of women and other survivors beyond the scope of the states— refugees, stateless people, non-citizens, etc., and thus facing the structural inequality of a patriarchal system. Despite CEDAW offering one of the first comprehensive additions of gendered analysis to the international policy framework, it leaves much to be desired, particularly in relation to SGBV and refugees.

Although the focus of this paper is international refugee policy, it would be remiss to not touch on the importance of regional policies and programs, such as the African Union and its

role in norm-setting in the refugee space. As mentioned in chapter three, the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa was groundbreaking in sketching a broader definition and understanding of refugees in the continent and has served as a tool to respond to large-scale refugee movements (Dare and Abebe 2019, pg. 705). The principles elucidated in this Convention, which has a broad base of support throughout the country, provides for “strengthened regional and national monitoring mechanisms,” that are aimed at facilitating the movement of refugees and ensuring some level of safety, security, and support for those in refugee situations (2019, pg. 705). Additionally, this Convention can be seen as an aspirational document for the broader project of pushing refugee policy in a more progressive direction so that it is able to better serve refugees and displaced populations globally (2019, pg. 705). Although this document only holds legal weight and can be applied within Africa—specifically only for the 46 countries that have ratified the Convention—it is an important document in the canon of refugee policy documents and is of particular importance for the subsequent discussion of refugee policy and programming in Uganda.

## 5.2: Current Refugee Policy Against SGBV

The prevalence of SGBV in refugee settings varies from conflict to conflict and region to region, but the current figures indicate that it is a pervasive issue across the globe, affecting a large proportion of refugees who have access to little protection or recourse. According to the UNHCR, the pre-COVID-19 estimate was that one in five refugee or internally displaced women face sexual violence, with even more being exposed to the various forms of gender-based violence (Grandi 2021). The UN High Commissioner for Refugees, Filippo Grandi, had noted that this number has almost certainly ballooned since the beginning of the pandemic, with far less reporting possible and gaps in protective and preventative services in refugee camps and

communities. These numbers also rise when considering the safety of gender non-conforming refugees, LGBTQ+ refugees, disabled refugees, elderly refugees, and other identity categories that are known to increase the risk of victimization. This victimization is not an innate quality of the individuals that fall within these identity groups, but instead the result of a power system that has not accounted for the safety of individuals within these groups, thus creating gaps that allow for vulnerability and victimization. This victimization can take place at all stages of the refugee process, from conflict to resettlement. There has been a significant amount of reporting on the use of sexual violence during conflict, with hundreds of thousands of individuals being victimized across conflicts (Krause 2017, pg. 178). Additionally, “field experience implies that in conflict zones the actual number of cases [of sexual violence] is likely to be 10 to 20 times the number reported,” which validates the size and scope of this issue (Pruitt 2012, pg. 301).

The travel to escape this conflict offers little respite, with the threat of violence omnipresent and exorbitant sums of money required to make the journey, which can lead to coercion and violence. “At the time of displacement, refugees are also recognized to be at particular risk of sexual victimization with many women being forced into ‘commercial sex work’ or subjected to sexual exploitation and/or torture to pay for their migration,” (Roupetz et al. 2020, pg. 2). This threat does not stop once migrants reach a refugee camp or host city; “[L]ack of any adequate accommodation facilities and access to any sanitary facilities has a major impact on women’s health and well-being as well as exposing them to violence,” (Freedman 2016, pg. 23). Given the frequent lack of adequate infrastructure available to refugees, both in camps and in cities, there is little in the way of protection against SGBV available. Should the worst happen and a refugee find themselves to be a victim of SGBV, they have few options for recourse or justice. An analysis of the refugee system on Greek islands in

the Mediterranean found that, “women who are survivors of GBV generally have no one to report this to...women who have been victims of GBV are reluctant to stop and talk to medical, psychological or legal support services, even where these do exist, for fear that this will delay their journeys,” (2020, pg. 24). Without any way to report or any support service available, survivors of SGBV are forced to deal with the challenges this violence brings on their own, while also managing to complete their journey and continue to support themselves and their families in the camp or host city in which they find themselves.

It is known that SGBV takes place in refugee camps across the globe, from the Middle East to Europe to Africa—areas of the world that will be further discussed in the case study section. An assessment of the structural violence in European refugee camps found that 46% of women felt unsafe in these camps (Al Jazeera 2017), with that number rising when considering safety at night or in poorly lit or unsupervised areas (Jensen 2019). Given the danger of coming forward to report SGBV and the sensitivity of the subject, anecdotal evidence has been an invaluable source of gathering information on the prevalence of SGBV in refugee communities. One study found that of the refugees that they interviewed concerning SGBV, 21.4% (70 of 327) of the *first-person narratives* shared by women discussed some form of SGBV, while 26.4% (42 of 159) of the stories shared by men included dialogue on some form of SGBV (Roupetz et al. 2020, pg. 4). This study demonstrates that *at least* one in five women had experienced some form of SGBV, with sexual harassment and exploitation as the most common forms of violence (2020, pg. 9). Meanwhile, although there were no first-person experiences of SGBV shared by men, over a quarter of male respondents indicated their awareness of SGBV as a pervasive issue in their community, pointing to instances of sexual abuse and coercion as major topics of concern (2020, pg. 10). The absence of first-person experiences of SGBV from the men in this

study does not mean that they have had zero experiences of SGBV, but points to the aforementioned major challenge of reporting this kind of violence. The patriarchal structure of society also hurts men, and in the case of SGBV, it is possible that men choose not to come forward given the social repercussions that they may face in reporting such violence. It is within this context of violence and survival that the current refugee policy framework against SGBV finds itself.

Thus, the fourth and final piece of the international refugee policy puzzle is the web of UN Security Council Resolutions that cover a wide array of topics in the realm of refugees and SGBV, forming a complex dome of policy that touches on many elements of gender, refugees, and SGBV. The most important of these resolutions is UNSC Resolution 1325 on Women, Peace, and Security, which was adopted unanimously by all 15 members of the Security Council in 2000 and has become a driving resolution behind the shift towards an inclusive understanding of gender in international affairs. The basic assertion of this resolution is that war and armed conflict has a “unique and disproportionate impact” on women and girls, and follows by calling for the broad adoption of a gendered perspective to consider the needs of women and girls during all stages of conflict, repatriation and resettlement, and post-conflict reconstruction (United Nations Development Fund for Women 2008). This resolution represents the first formal legal document from the Security Council that requires parties to a conflict to actively prevent violations of women’s rights and protect women and girls from wartime sexual violence—despite the UN’s 50-year history at this point, it was not until 2000 that it acknowledged the unique impact of conflict and post-conflict situations on women and girls. This resolution forms the organizing framework for the WPS, which many countries have turned into a National Action Plan to begin gender-mainstreaming their international commitments.

UNSCR 1325 has several sections that pertain directly to the protection of refugees and the prevention of conflict and post-conflict SGBV. Section 10 calls on states and parties to a conflict to develop special measures to protect women and girls from SGBV in armed conflict. Section 11 makes a call to end impunity on all war crimes, which includes sexual violence. Section 12 calls on nations to take into account the particular needs of women and girls in refugee settings and for parties to a conflict to respect refugees (United Nations Security Council 2000). These sections come together to form a clear demand on states to take the necessary steps to prevent SGBV from happening, protect victims and survivors, and prosecute the perpetrators to ensure the provision of justice. However, given that UNSCR 1325 is a resolution rather than a Convention, there are no true accountability mechanisms and less than half of UN member states have adopted National Action Plans, much less effectively implemented them (2000). In a tenth anniversary review of UNSCR 1325 in 2010, it was found that despite the intentions and implementation of National Action Plans and continued attention on the international stage to the issues of WPS, SGBV continues to be a widespread issue that requires significant attention to reduce and prevent (Willett 2010, pg. 153).

Following UNSCR 1325, there are three closely aligned resolutions: UNSCR 1820, UNSCR 1888, and UNSC 1960. UNSCR 1820, a unanimously adopted resolution from 2008, declares rape and other forms of sexual violence to be war crimes—a designation that would allow the international community to respond with greater resources to instances of sexual violence (Toupin 2014, pg. 234). This resolution mentions civilian populations, but fails to refer to the unique circumstances of refugees who find themselves facing sexual violence, whether within refugee camps settings or in other locations in the refugee host nations. This oversight continues the trend of omitting refugees from conflict and post-conflict violence protection

schemes while simultaneously omitting conflict and violence from refugee protection schemes. UNSCR 1888, adopted in 2009, mandates that peacekeeping missions prevent and respond to sexual violence and created a Special Rapporteur on sexual violence in armed conflict (2014, pg. 235). This resolution also touched on the retraining of armed security forces, including national armies and police forces, which could have a major impact on the level of safety in refugee camps, but fails to mention the issue of refugees directly, once again leaving them out of the SGBV policy framework. UNSCR 1960, adopted in 2010, acknowledged the slow progress being made on the issues of sexual violence, called on states to comply with international law and leaders to commit to preventing sexual violence, and ends by noting that ending impunity for sexual violence is an essential part of the international solution (United Nations Security Council 2010). These resolutions come together to create the ongoing policy framework through which the UN engages with SGBV both during and after conflict, but leave much to be desired regarding SGBV against refugees.

When it comes to SGBV and refugees, the UN has not completely omitted this issue from its understanding of women, peace, and security. The first true step in this direction was the UNHCR's 1990 Position Paper on Gender-Related persecution (which has since been replaced by an updated version in 2002) and the adoption of the guidelines on the Protection of Refugee Women in 1991, both of which explicitly outlined the unique threats faced by refugee women (United Nations High Commissioner for Refugees 1991, 2002). Currently, the UNHCR has several guidelines and strategies pertaining to the protection of refugee communities against SGBV, but no clear policy or binding resolutions that dictate the expectations of the UNHCR regarding protection. Although the UNHCR's fundamental mandate is to safeguard refugees against harm, there is currently no robust directive from this Office on how to safeguard refugees

against the harm of SGBV. The current UNHCR approach to SGBV is from 2011 and comes in the form of a strategy guide, aimed at providing structure and guiding program principles to those tasked with international protection, but there is nothing in this strategy guide that binds the UNHCR or partner organizations to these principles (UNHCR Division of International Protection 2011).

The preceding document to this strategy guide was the 2003 UNHCR Guidelines for Prevention and Response for Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons, which offered a more in-depth framework for addressing this issue, but also pointed out the gaps in this policy realm, for which it had few answers. According to this document, although “gender-related persecution” has no legal definition, it can be a useful analytical tool to determine where gender may be relevant (2003, pg. 110). The guidelines call for the 1951 Convention and 1967 Protocol to be considered through a gender lens— but there is no call to take legal measures to include sexual orientation and gender identity (SOGI) as elements of these documents. This “add women and stir” approach fails to appreciate that gender is always relevant, and even more so when it comes to SGBV—where the basis for violence is an inalienable personal trait. Given the aims of these organizations, it is unlikely that they are acting with malice and actively failing to protect refugees from SGBV, but understaffing, lack of resources, and a failure to prioritize this type of violence and protection results in these issues remaining persistent despite the decades of calls for action.

The most recent activity in the area of forced migration and refugee protection is the Global Compact on Refugees (GCR), released in 2018, which intended to, “provide a basis for predictable and equitable burden and responsibility-sharing among all United Nations Member States, together with other relevant stakeholders as appropriate,” (United Nations High



Commissioner for Refugees 2018). The Global Compact effectively set out current understandings of the realities of refugees and the obligations of the international community when it comes to providing refuge and preventing victimization, focused on filling in the gaps in the current scheme of refugee policy and programs. The ‘programme of action’ that accompanied the Compact placed emphasis on the need to protect specific groups within refugee situations, including survivors of SGBV, including commitments such as, “strengthening of international efforts to prevent and combat sexual and gender-based violence, as well as trafficking and smuggling in persons; capacity development for community-oriented policing and access to justice,” (United Nations High Commissioner for Refugees 2018). Although this Compact had the opportunity to push the international community forward significantly with regards to refugee protection, it is not legally binding, relying on voluntary adherence and representing “the political will and ambition of the international community as a whole for strengthened cooperation and solidarity with refugees and affected host countries,” rather than committed legal and political action (2018). The GCR had the opportunity to be an aspirational, comprehensive document that outlined the way forward for the international community in the field of refugee protection policy and programming, but unfortunately, still found itself falling short of a truly progressive set of commitments to refugees.

It is also important to note here that this paper will also be exploring current examples of programming for refugee survivors of SGBV. The focus of this paper is predominantly policy, but would be remiss to omit a brief discussion of programming, as this “boots on the ground” aspect is a primary vehicle for achieving the goals set out in refugee policy. This paper does not aim to draw conclusions regarding the broader field of refugee programs, but instead offer examples of how policies may be implemented through programs to realize their intended goals,

and to emphasize the human side of this discussion. Ultimately, the groups affected by gaps in policy and protection are made up of individuals who have every right to live a life that is safe and secure—rights that are achievable through effective policy and programming. This paper will offer several examples of effective programming that serves both as a complementary tool to more formal policy mechanisms, and also as the vessel through which policy can be implemented on the ground. It must be noted that this is not a comprehensive review of all refugee programming, but an offering of illustrative examples of refugee policy and programming in action.

After working through the complex network of policies, guidelines, resolutions, and conventions covering the area of SGBV and refugees, it is possible to conclude that there is no single binding document that pertains to the use of SGBV in refugee communities, which leaves this population woefully unprotected against SGBV and with an extremely limited number of avenues for recourse. SGBV carried out during periods of conflict cannot be effectively divorced from SGBV in a refugee setting, and any attempts to set this distinction in policy results in a lack of protection for refugees facing SGBV. Thus, any policy that covers the use of SGBV in the context of a conflict must be extended to include post-conflict periods and refugee communities in order to ensure a continuity of protection for these vulnerable groups. In the following section, this SGBV preventative and protective framework will be analyzed and the current gaps in this policy regime will be outlined in order to determine what the optimal way forward must be for this area of international concern.

### 5.3: Analysis of Current Preventative/Protective Framework

The current preventative and protective framework concerning SGBV and refugees has seen improvements over the past several decades, but there still remain significant gaps in the framework that hinder effective protection of these vulnerable refugee groups. The critical gaps in this policy scheme can be categorized into four distinct groups: (1) a fundamental lack of women in the policy structure; (2) no enforcement mechanisms or binding conventions; (3) responsibilities falling overwhelmingly to states; and (4) a weak international understanding of SGBV: what it is, how it impacts individual lives, and the way in which it changes communities. By outlining the nature of the four shortfalls, it can be understood where international energy and resources must be focused in order to bridge these gaps and strengthen this policy scheme.

The first key area, which has been alluded to throughout this paper, is the fundamental absence of women from the structure of this entire policy arena. According to the Deputy Chief of UN Women's Peace and Security Section, “[T]he refugee regime, built on the 1951 Conventions and shaped through state and international practice, has long excluded women, procedurally and substantively, from the international right to protection from persecution,” (Valji 2001, pg. 26). This reality allows for the continued use of the “add women and stir” approach to gender inclusivity, which is well known to be a weak and ineffectual approach to gender analysis. Simply adding women as a point of analysis without shifting structural understandings of gender to account for the diverse experiences of refugees fails to close the gaps in the structure of the system that result in inattention to these issues. The reality of “being left off the list” is often the starting point for feminist critique of refugee law and its failures (Arbel, Dauvergne, and Millbank 2014, pg. 2). From the very beginning of the modern international refugee protection scheme, women, gender non-conforming people, and non-

heterosexual people have been excluded from bases of oppression, which leaves them incredibly vulnerable and furthers danger. “The dangers posed by this vagueness are apparent in the tendency of asylum adjudicators to respond unevenly to innovative claims for protection from gender-based violence, to insist that non-state actors are incapable of inflicting persecution or to reject the claims of victims of mass persecution,” (Fitzpatrick 1996, pg. 239). Although the classic understanding of a refugee as an individual (not a man or woman) being persecuted by the state based on their race and religion (like Jewish Europeans in WWII), or political beliefs (like Soviet defectors), was a fairly adequate framework at its moment of creation, this understanding of refugees quickly became outdated and left many, including women, exposed to violence. The emphasis on gender-neutral definitions, focusing on violations committed by a state against individuals, “encompasses more readily the situation of men, rather than women, who seek protection as refugees,” and thus results in better protection being offered to men (Thiele 2000, pg. 223).

The modern refugee policy scheme focuses its attention on the protection from *public* violence and persecution, which unsurprisingly relegates more *private* forms of violence, faced predominantly by women, like SGBV, to the sidelines of the protective framework. Almost as soon as the ink dried on the 1951 Refugee Convention, feminist activists were calling for “shifts in refugee law to recognize women’s experiences of persecution... [A]ctivists and scholars argued that the most effective way to ensure that refugee law would extend equal protection for women and men would be to add sex (or gender) to the list of protected grounds,” (Arbel, Dauvergne, and Millbank 2014, pg. 3). A common critique in response to these efforts is that this will simply serve to mainstream cisgendered identities and offer further protection to women, rather than accounting for the inordinate violence that other gender and sexual identities have to

face, such as trans women and gender non-conforming people. This critique is entirely legitimate, and any efforts to include SOGI as grounds for protection must take into account which groups are most in need of protection. Currently, there are various NGOs doing this work to protect those refugees with marginal identities from SGBV and other forms of violence, but the central refugee agency has yet to formally include these considerations into its treaty. To this day, SOGI are still not officially grounds for protection against persecution under the current international refugee policy framework (though it is being incorporated into various national legislation), which leaves victims and survivors of SGBV incredibly alone to face the challenges of surviving SGBV.

This does not mean that there has been no action on including protective measures for women and other groups that face heightened risk of experiencing SGBV; calls for inclusion of these identity groups led the UNHCR to extend more protection to vulnerable groups, including women and children, in camps, while national guidelines for refugee protection in many countries were amended to include SOGI (Arbel, Dauvergne, and Millbank 2014, pg. 2-3). As was outlined above, the UNHCR has produced many strategy guides and guideline documents for its partners on the ground and other organizations and agencies. Although this is a step in the right direction, the exclusion of SOGI from the founding documents of this entire branch of legal protection perpetuates inequality between gender groups and leaves certain groups vulnerable.

The second key area at issue is the lack of enforcement mechanisms or binding conventions, which is a challenge plaguing the whole of the international system. Compared to various other central human rights topics of concern to the international community, international refugee law lacks “the international enforcement capacity of other human rights treaties,” leaving the UN, at times, utterly unarmed against violating states (Gammeltoft-Hansen

2014, pg. 574). Although the 1951 Refugee Convention is legally binding, there is no mechanism or body to monitor compliance or leverage action against non-compliant party states. This Convention was never endowed with an international court or monitoring body that corresponds with the resources of other human rights treaties to help bolster implementation. The UNHCR is tasked with supervisory responsibilities regarding the implementation of the Convention and Protocol, but does not have any ability to effectively track compliance. The supervisory mandate of the UN High Commissioner for Refugees is limited and critically dependent on states, who have “shown little serious interest in progressively developing refugee rights” (Gammeltoft-Hansen 2021, pg. 1). Additionally, there is no formal mechanism through which an individual or group can lodge a complaint, which leaves few avenues of recourse or justice for those who have had their human rights under this Convention violated.

Functionally, international refugee law plays a larger role as a norm-setting institution and by shaping national refugee policy schemes, but this is not enough to ensure protection for those who may face SGBV as refugees. The result of this reality is that perpetrators of SGBV can continue living and acting with impunity, often right within the same communities as their victims, while the survivors are forced to fend for themselves. This issue is not unique to refugee protection—given the principle of sovereignty, it is challenging for international organizations like the UN to effectively enforce its treaties within national territory. The small-scale solution to this issue would be to develop a type of enforcement structure within the refugee policy framework—as of now, any complaints concerning a matter of the Refugee Convention can go through the International Court of Justice (ICJ), but to date, there has never been a complaint make its way through the court process. However, this solution would be challenging in and of itself, and would have no impact on the broader issues of non-compliance in the international

system, resulting in the continuation of weak enforcement of the Convention within states at the expense of survivors of SGBV.

The third key area follows from this second issue and the lack of enforcement at the international level; a significant proportion of the responsibilities for prevention, protection, and prosecution fall to host states. Although more fanfare is made by Western nations hosting refugees and asylum seekers, over half of the world's refugee population finds itself settled in just seven countries: Turkey, Uganda, Pakistan, Germany, Sudan, Bangladesh, and Lebanon (United Nations High Commissioner for Refugees 2022).<sup>1</sup> Within these countries, although they may initially pass through a refugee camp, approximately half of the refugees live in urban centres or beyond the walls of a UNHCR-run refugee camp, which can create another degree of removal and additional financial constraints for those refugees who need access to services (Al-Rousan et al. 2018, pg. 250). Given this context and the toothless enforcement mechanisms available to the UNHCR under the 1951 Convention and 1967 Protocol, there is a significant importance placed on the national refugee policies of states, particularly these host states, to provide adequate protection and services to refugee populations.

This is a substantive challenge in the refugee protection framework. It has been shown that “refugee protection cannot effectively take place in conditions of acute and protracted state insecurity,” which proves to be an extremely salient point, given the various levels of state insecurity amongst the major host countries, like Sudan and Pakistan (Milner 2000, pg. 1). With the lack of enforcement at the international level, the burden of protection falls to states, where it also cannot effectively take place, which results in a major gap in protection for refugees. Even

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<sup>1</sup> Note: these statistics do not reflect the recent displacement as a result of the 2022 conflict in Ukraine.

within refugee camps, which are largely under the purview of the UNHCR, there is only so much that can be done in terms of effectively protecting refugees, and should those efforts fail, there is little in the way of state backup. This gap is more of a chasm, with little being done to bridge the space between refugee communities and effective protection.

The final key gap in the current refugee policy scheme is specific to how SGBV is (mis)understood by policymakers, political leaders, and human rights practitioners. Given the fact that SGBV is not included nor defined in the modern forced migration policy scheme as a source of persecution and thus a legitimate reason for protection under the Refugee Convention, the result is an uneven application of protection in cases of refugee SGBV. Following several rejected asylum claims by individuals fleeing female genital cutting and forced marriages, a refugee rights lawyer stated that, “[I]n the absence of clear standards, decision-making in gender cases has been arbitrary and inconsistent, with very different outcomes in cases with similar facts,” (Musalo 2014, pg. 74). This absence of clear understanding of what constitutes SGBV fundamentally undermines protection efforts for victims and survivors.

This lack of understanding is not surprising—SGBV has long been understood to be a ‘private’ matter that international law need not concern itself with, and thus vital areas that need protection are left unprotected. The idea that the ‘personal is political’ and the public/private divide are some of the factors that make refugee policy “such a poor fit for the experiences of many women at risk of persecution around the world,” (Arbel, Dauvergne, and Millbank 2014, pg. 3). Although the UN strategy guides provide some information regarding the definitions of SGBV and its longer-term impacts, it is in no way a binding legal document that compels states to act in order to prevent this act from taking place, and thus it results in an international refugee scheme that is without resources to respond to the scourge of SGBV in post-conflict refugee



communities. Without a robust definition and in-depth understanding of what constitutes SGBV, the risks it poses for health and community, and the best practices that can be used to stop it added to a central legal document in the current refugee policy framework, like an additional Protocol, this policy framework will continue to fail survivors by letting them slip through the gaps of ineffectual policy coverage.

The current refugee policy framework has grown from the post-WWII era, beginning with the 1951 Convention and subsequent protocol, regional Conventions like the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, and related Conventions like the 1979 CEDAW. The framework is also made up of a web of UNSCRs, most notably 1325 on Women, Peace, and Security, and subsequent resolutions on SGBV and post-conflict security for refugees. These policies are only as effective as their implementation, which takes place, in part, through on-the-ground programming. This chapter also identified several of the key gaps in this policy framework, including broad misunderstandings of SGBV and the lack of enforcement tools available to the international community. In order to understand the implementation aspect of these policies and identify the tangible gaps in their efficacy, the following chapter will explore two case studies and evaluate the role of refugee policy: for South Sudanese refugees in Uganda and for Syrian refugees in Greece.

## Chapter Six: Case Studies

### 6.1: Context of Forced Migration and Refugees in Uganda

Uganda has long been an epicenter of forced migration, beginning around the end of the Second World War and continuing through to today. Sitting in the northern area of Africa's Great Lakes region, Uganda has found itself a bastion of refugee camps and forced migrants—and one of the most notable host countries for refugees globally. Uganda has also been a refugee- and IDP-producing country, with its political instability under Idi Amin and subsequent civil war through the 1970s and 1980s (Lomo et al. 2001, pg. 3). The most recent arrivals of refugees in Uganda have resulted from various regional conflicts, including the 1994 Rwandan Genocide, the Second Sudanese Civil War from the mid-1980s to 2005, several conflicts in the Democratic Republic of Congo from the mid 1990s onward, and instability following the creation of South Sudan, resulting in a refugee population topping 1.5 million as of 2021 (Lomo et al. 2001, pg. 4-5, Office of the Prime Minister, UNHCR, and Government of Uganda 2022). It is important to note that Uganda is a country with a broad interpretation of who constitutes a refugee, which makes them a rather amenable host nation; the nation was a signatory to the OAU/AU's Convention Governing the Specific Aspects of Refugee Problems in Africa when it was drafted in 1969 (Organization of African Unity 1969). Given this long history of hosting refugees and high population of refugees today, Uganda offers an excellent case study of what effective (and ineffective) refugee policy looks like.

### 6.2: SGBV in Uganda

Given Uganda's long history of hosting refugees, there is a considerable amount of research that has been done on the conflicts, settlement situations, and post-conflict violence in this country. One significant area of study under this umbrella is SGBV, and given the mix of

Ugandan post-conflict communities, IDP settlements, and refugee settlements in the northern portion of the country (see United Nations High Commissioner for Refugees map of Uganda in Figure 1), there has unfortunately been no shortage of cases to study. The largest percentage of refugees in Uganda (60.5% as of 2022) hail from South Sudan, a country that borders Uganda to its north (Office of the Prime Minister, UNHCR, and Government of Uganda 2022). The proportion of South Sudanese refugees settling in northern Uganda has grown since 2016, leading to this significant percentage of South Sudanese refugees in Uganda.

The threat of SGBV begins simultaneously with the start of the forced migration, with studies describing the threats posed to Sudanese women fleeing to Uganda, “including being forced to sell sex as currency after being detained and prevented from continuing their journey unless they accede to demands for payment,” (Nagai et al. 2008, pg. 266). The bulk of the reported SGBV and torture that South Sudanese refugees faced had taken place either in South Sudan or on the journey to Uganda, but that did not mean that their arrival in Ugandan refugee camps would end the threat of violence. There were reports of SGBV taking place in refugee settlements in Northern Uganda, mirroring the existence of SGBV in the South Sudanese conflict (Liebling et al. 2020, pg. 1689). Comparing the experiences of witnessing SGBV to their non-refugee counterparts, “Sudanese refugees, regardless of sex, experienced or witnessed almost all types of violence more frequently than Sudanese non-refugees or Ugandans,” (Nagai et al. 2008, pg. 255). The result of this violence is refugee communities that have suffered a multitude of human rights abuses, including sexual and gender-based violence and torture, and must now face the momentous task of rebuilding their life in a refugee settlement (Liebling et al. 2020, pg. 1687).

Although there has been a fair amount of internal violence in Uganda's northern regions, the violence faced by refugees in that region is notable: "Regardless of when it had occurred, witnessing or experiencing sexual abuse or sexual exploitation was most common among refugees," (Nagai et al. 2008, pg. 255). Although there are likely instances of inaccuracies in statistics and underreporting of violence, there has been documentation of extensive forms of SGBV in Ugandan refugee camps, including rape, gang rape, torture, child marriage, domestic and intimate partner violence, and forced sexual slavery (Liebling et al. 2020, pg. 1687-89; Nagai et al. 2008, pg. 258). In fact, the study by Nagai et al. is the first documented report of sexual abuse against men during forced migration, which remains a pervasive issue the Ugandan refugee camps (Nagai et al. 2008, pg. 266-67). There have also been assertions that the domestic and intimate partner violence is "worse in the refugee settlements," which results in ongoing inequality and violence between spouses in both directions (Liebling et al. 2020, pg. 1690). There is little hope for formal justice in these situations, with a lack of access to formal dispute resolution mechanisms and corrupt judicial institutions undermining refugees' chance for justice and perpetuating continued underreporting of SGBV (Liebling et al. 2020, pg. 1691). Additionally, there are cases in which law enforcement officers themselves are the perpetrators of violence or demand bribes in exchange for legitimate legal action (Liebling et al. 2020, pg. 1693). This demonstrates not that refugees are opting for more informal dispute resolution processes, but that they were not aware of a clear pathway for accessing justice services and criminal incidents were "rarely followed through effectively," (Liebling et al. 2020, pg. 1697). Support in these situations can be offered through informal mechanisms, but there is rarely formal recourse in the event of family or intimate partner violence, which does little to offer an enduring solution to victims and their families (Liebling et al. 2020, pg. 1697).

There is no true escape from the reality of SGBV, and the effects have resounding impacts on individuals, families, and communities: “The long-lasting effects of SGVB are widely experienced throughout communities in northern Uganda and include social marginalization, particularly women and girls who are survivors of SGBV; rape and domestic violence; and insecurity for female heads of households,” (Tiessen and Thomas 2014, pg. 69). These long-term effects can be, in part, remedied by support services, but in the context of Ugandan refugee settlements, these services are limited in number and scope, which compounds with other factors to prevent survivors from seeking services: “After episodes of sexual violence, almost no males, and only a minority of females, sought help. A variety of reasons were given, however, lack of services, embarrassment, and lack of a wish for any assistance, were frequently expressed,” (Nagai et al. 2008, pg. 267). This results in ongoing health issues for survivors, including the risk of suffering from physical ailments and sexually transmitted infections (STIs); the possibility of family and community stigmatization; unwanted pregnancies; feelings of social isolation and exclusion; and poor or worsening mental health conditions—all of which overwhelmingly lower the quality of life for survivors and require a variety of support services to respond to.

Although this has painted a bleak picture of the current state of Ugandan refugee camps, there has also been tremendous innovation in order to close the gaps of preventing and protecting refugees from SGBV during forced migration, upon arrival, and once settled in Uganda. One response to SGBV in refugee settings and sparse prevention efforts has been the "Zero Tolerance Village Alliance" intervention in Western Uganda (Undie et al. 2016, pg. iv). This prevention model is designed as an intervention implementation process, where Thohoyandou Victim Empowerment Programme (TVEP) personnel visit refugee settlements and implement the

following intervention components: community mapping and dialogues, establishment of a stakeholder forum, signing of a Memorandum of Agreement, SGBV awareness training, pledge-taking ceremonies, and alliance identification (Undie et al. 2016, pg. 3). This prevention model drew on the psychological understandings of what drives human motivation and the importance and power in labeling phenomena to inspire a community effort towards a common goal. Around eight months after the implementation of the Zero Tolerance Village Alliance, data analysis found that this effort had been particularly successful in “moderating negative gender attitudes and beliefs related to SGBV; positively changing perceptions of community SGBV norms,” reducing the occurrence of physical and sexual IPV for both men and women, “engendering more comprehensive knowledge of rape; and increasing awareness of SGBV interventions,” (Undie et al. 2016, pg. 11).

The Zero Tolerance Village Alliance is one of many initiatives taking place in Uganda’s refugee settlements. With the growing number of men coming forward with experiences of SGBV, a gap has been exposed in the international policy fabric, with little to no resources available to men who are survivors of this uniquely insidious type of violence. This issue highlights the importance of an intersectional approach to understanding SGBV; given the nature of SGBV and its understanding as a private woman’s issue, there has been minimal effort put towards eradicating this issue from conflict and post-conflict societies, which is now revealing its effects not only on women, but also on men, children, and others. The current literature examining gender “tends to homogenize the refugee into female victim and masculine threat,” a tendency that “risks constraining how their [non-female victims] experiences can be understood” (Ozcurumez et al. 2019, pg 6). Additionally, men hesitate to bring these experiences forward for fear of emasculation and other negative social repercussions. The members of the Men of Hope

Refugee Association Uganda (MOHRAU) have faced this challenge and chose to meet it by turning their energy towards advocacy and collective action in order to heal.

Beginning in 2009, local workshops for male survivors of SGBV were set up in order to meet the drastic increase in men seeking support services for their experiences (Edström and Dolan 2019, pg. 177). These workshops grew over time, and in 2011, MOHRAU was officially named and began its work, which includes advocacy activities with local government and community workshops to support local survivors and refer them to appropriate services (Edström and Dolan 2019, pg. 178). This group has succeeded in helping survivors “break out of their sense of isolation, both by creating an awareness of how their own problems are similar to those of others and by generating a sense of belonging,” which one participant named Thierry described by saying, “belonging in a group *is* a form of healing,” (Edström and Dolan 2019, pg. 182). This program demonstrates the importance of not just an understanding of how SGBV impacts women refugees, but how gender is a constitutive element of the refugee experience and how a critical lens must be applied to understand how this ‘personal’ violence has an impact on individuals of many genders.

These two initiatives are examples of the incredible prevention, protection, response, and recovery work that is taking place in Uganda’s refugee settlements in response to the scourge of conflict and post-conflict SGBV. It is important to note that both of these programs are grassroots, locally-led programs that are funded by various sources, including (but not limited to) the UNHCR. Although some on-the-ground programs are UN-led, there are many independent NGOs or local organizations that carry out this vital work with support from larger organizations in the form of funding or resources. In the densely populated, somewhat over-burdened settlements in northern Uganda, these smaller initiatives play an absolutely essential role in

bridging the gap between the current international refugee policy framework towards SGBV and the true needs of communities.

### 6.3: Context of Syrian Refugees in Greece

In 2015 and 2016, millions of Syrian citizens fled conflict in their home country and struck out in search of refuge, both within the Middle East and beyond. Conflict began in Syria in 2011, paralleling several other Middle Eastern and North African (MENA) countries, following the Arab Spring protests that originated in Tunisia in 2010 (Ozcurumez et al. 2019, pg. 5). This conflict, which swelled between 2014-2016, is still ongoing, with over 5.6 million Syrians displaced beyond their borders, and an additional 6.9 million IDPs within the country; a total that represents well beyond half of the Syrian population (United Nations High Commissioner for Refugees 2021a). The majority of these refugees find themselves hosted in Syria's neighbor, Turkey, where over 3.6 million Syrians are currently settled (United Nations High Commissioner for Refugees 2022). There are over one million Syrian refugees hosted across European countries, with over 70% of the million residing in only two countries: 59% in Germany and 11% in Sweden (United Nations High Commissioner for Refugees 2021b). In contrast to Uganda, where the vast majority of refugees settling there choose to live in refugee settlements, the opposite is true in the case of Syria, where nineteen out of twenty Syrian refugees are settled in an urban area, beyond the confines of a sanctioned refugee camp (United Nations High Commissioner for Refugees 2021a). This creates a very different set of circumstances for refugees and overseeing agencies alike, particularly when it comes to preventing and protecting against SGBV.



#### 6.4: SGBV Amongst Syrian Refugees in Europe

The enormous influx of Syrian refugees through the Middle East and Europe garnered massive media attention, and with it came a significant amount of humanitarian interest in documenting and improving the situation for Syrian refugees. This included attention paid to issues of SGBV, which is unsurprisingly present in the Syrian conflict and subsequent forced migration. Like many forced migrations, the threat of violence begins in conflict in Syria, but does not stop once the decision is made to flee the violence. There has been a significant amount of reporting of incidences of SGBV along the common route through Europe used by Syrian refugees, including use of SGBV against refugees in detention by border guards, the threat of human trafficking by smugglers, and high levels of transactional sex, which is the pressure to exchange sexual acts for preferential treatment (Freedman 2016, pg. 21). In Macedonia, research found instances where border guards made offers for “transactional sex, during which women were promised priority treatment of their cases and faster release if they agreed to sexual relations with the male guards,” (2016, pg. 20). Several interviews of survivors in Kos, a Greek island in the Aegean Sea, highlighted the violence of human smugglers, who perform a necessary service for many refugees by getting them to Europe, but have also been found to rape, physically assault, and coerce women into unwanted sexual relations during the course of these journeys (2016, pg. 21). The violence does not end with the smugglers—other interviews of survivors in Kos pointed to the violence faced “at the hands of the Turkish police and coastguards as they crossed the country and attempted to leave for Greece,” (2016, pg. 22). This SGBV takes place at all points along the forced migration to safety; “[S]taff of NGOs working in the refugee camps around Calais in France... pointed to the demands for coerced sex by

smugglers,” (2016, pg. 21). In an attempt to flee the violence plaguing their homes, Syrian refugees are likely to face more violence along the migration.

Once they arrive in Europe, Syrian refugees have few options for escaping the threat of SGBV. It is well documented that Syrian refugees are at high risk of SGBV and “subsequent ill-health in Europe; yet, European minimum reception standards do not address SGBV,” a fact that has had a significant impact on incoming Syrian refugees (Keygnaert et al. 2015, pg. 90). There have been major critiques of European legal and policy frameworks that apply too narrowly to sexual violence, focusing solely on “female victimisation and ignoring vulnerable groups such as LGBTI, undocumented migrants and sex workers,” and concentrating “predominantly on sexual violence in countries or cultures of origin (eg. sexual violence in war, torture, trafficking and FGM), while ignoring vulnerability to violence following migration to Europe,” (Block et al. 2019, pg. 14). This vulnerability is exacerbated in areas that have inadequate and unsafe accommodations for refugees. Temporary accommodations and transit camps for refugees are a major source of insecurity in countries like Greece and Italy, with challenges coming from overcrowding in facilities, shared bathrooms, poor lighting, layout/design that exacerbates risks for women, geographic challenges, such as these accommodations being located in high crime areas (Özdemir 2018, pg. 2-4). A current route that is being used by migrating Syrians is crossing the Mediterranean Sea by boat, which is an extremely perilous voyage, only to be met at the destination by “catastrophic” conditions, “with no accommodation available for most refugees, meaning that they are left to sleep in the open air in parks, fields or on the streets,” (Freedman 2016, pg. 22). The camps in Turkey are similarly described as being “overcrowded with poor living conditions,” even as a “prison,” which is reflected in the over 90% of Syrian

refugees in Turkey who choose to live in urban settings rather than in Turkish refugee camps (Yıldız and Uzgören 2016, pg. 203).

A recurring issue across the research done on SGBV is that following a refugee's experience of SGBV, survivors are often unsure of how to proceed and who to report the violence to in order to seek justice. There are a multitude of reasons that an individual may be hesitant to discuss an extremely traumatic event with authorities, but these reasons are compounded in refugee situations. These barriers can include, "not knowing the language, not knowing who to report to, and fear of officials and of being stopped by police or deported. In the current [Syrian] refugee crisis, women's fear of being delayed on their onward journeys is yet another barrier," (Freedman 2016, pg. 23). Into this already-challenging mix comes the issue of responsibility: although the UNHCR asserts that the responsibility for prosecuting charges of SGBV falls to the government of the territory in which the crime happened (the host country's government), there is currently "no explicit policy, nor a coordinated cross-border response to care for survivors," which creates significant issues for response, service provision, and potential judicial solutions (Jensen 2019). This gap in response and responsibility effectively ensures that Syrian women experiencing SGBV in Europe will not come forward and seek help, leaving them at risk for further violence and victimization.

There have been initiatives, however, that are shining a light on this hidden issue. The bulk of these initiatives have taken aim at the more densely populated areas of refugees, like those in the urban centres in Turkey or in transit camps across Greece and other Eastern European countries. One such initiative is called Showers for Sisters, which has established a separate washroom and shower facility for women in a refugee camp outside of the village of Moria on the Greek island Lesbos. This initiative arose due to the intense overcrowding of the

camp, the poor hygiene of the original facilities, and the one case of sexual assault per week being reported to Doctors Without Borders (Prisco 2018). Given this danger, many women were choosing to forgo their typical wash routines, which resulted in declining personal health and hygiene. In response, a British organization created Showers for Sisters (since renamed Becky's Bathhouse) and established a separate shower facility down the road from the camp, providing women and children with access to private wash stalls with locking doors and fully attended by female staff. The goal of this initiative is to provide a space for women to "reinforce the basic autonomy and dignity of every woman and child," the success of which is evident in the user testimonials (Becky's Bathhouse Staff 2020). One Bathhouse patron, Fatima, described the respite she found in this initiative: "I was harassed in Moria and, even though I was pregnant, they did not take care of me and I had to live in a tent. I was not able to clean myself after giving birth ... it was so lovely [finally] to have a warm shower," (Prisco 2018).

This initiative is effective in addressing one of the symptoms of SGBV, which is vulnerability in refugee settlements that arise as a result of a gendered differential in the prevailing power structures in society. However, the vast majority of Syrian refugees in Europe opt to live beyond refugee camps and settle instead in urban centres, like Istanbul, Stockholm, and Berlin. Urban-settled refugees face a unique set of challenges that set them apart from the populations of the cities in which they live. These "layers of discrimination and persecution" in urban sites are the set of rights that fall under the banner of Civil and Political Rights, thus affecting refugees who, for a variety of reasons, are not able to gain recognition of their refugee status; those refugees who have been rendered stateless by governments of origin; and all refugees who are unable to enjoy citizenship, legal status, or rights in a host country (Pittaway 2010, pg. 4). Any successful initiative aimed at responding to the issue of SGBV amongst Syrian

refugees in Europe must contend not only with the political turmoil around refugees in Europe, but also the unique challenges around programming for urban refugees, including those without legal refugee status.

As evidenced throughout these two case studies, both in Uganda and Greece, the current international refugee policy framework is a good starting point for ensuring safety and security of refugees, but there is ultimately a gap between what can be provided through this system and what is needed for comprehensive and effective policy towards survivors of SGBV. The lattice of policy, programming, and individual organizational contributions to furthering the prevention of and protection against SGBV for refugees and survivors is doing important work, but there remains room for improvement. The following chapter will outline a discussion of the international refugee policy framework and its gaps and proceed with two sets of recommendations for the future of refugee policy and programming towards survivors of SGBV.

## **Chapter Seven: Discussion and Recommendations**

### **7.1: Discussion**

The previous chapters have attempted to lay out the current state of the policies and several programs that are aimed at preventing SGBV and protecting refugees across the world. This analysis began with the academic study of refugees, gender, and SGBV, moving on to a look at the conceptual framework in this field, the attempts by the international community to create policy towards SGBV, the gaps in this policy scheme, and finally, the examples of Sudanese refugees in Uganda and Syrian refugees in Europe. Although this area of international policy has evolved remarkably over the past few decades, there is still a significant amount of work to be done in order to institutionalize effective prevention and protection policy for refugees against SGBV. This section will provide a summary of the current gaps of the refugee policies and programs aimed at stopping SGBV, before moving into recommendations at the policy and program levels moving forward.

Following the policy analysis, four key gaps were identified in the current policy framework: a fundamental lack of women in the policy structure, no enforcement mechanisms or binding conventions, responsibilities falling overwhelmingly to states, and a weak international understanding of SGBV. These gaps were further highlighted in the two case studies, with other gaps, such as the immense danger and threat of SGBV during the journey of refugees and the absence of broadly-planned initiatives that effectively offer protection against SGBV both within and beyond refugee camps. These gaps are significant; challenging to bridge and requiring a significant understanding of the complexity of this issue. The application of a critical feminist approach to refugee SGBV policy can aid in achieving this understanding.

A central issue, demonstrated by the first and fourth policy gap and further elucidated throughout the case studies, is that there is an absence of a robust understanding of gender and sexuality as it relates to the refugee experience and SGBV and a lack of enforcement mechanisms and options when it comes to responding to instances of violence. In particular, there is an underdeveloped comprehension of the unique, pervasive forms of violence faced by identity groups such as women, children, and LGBTQ+ people, much less any policy accountability for them; instead, these groups are often left to fend for themselves within and beyond camps, with few programs aimed at supporting them. Despite the UN's commitments to addressing these issues, the reality of state responsibility and the challenges to program implementation results in few options for these marginalized identity groups to find recourse. A study by the Women's Refugee Commission (WRC) found that: "Certain populations receive less attention and less access to programs, including the elderly, women and girls living outside the camps, people with disabilities and sexual minorities," (Women's Refugee Commission 2014, pg. 1). According to an analysis of this study, the evidence presented by this organization, "seems to suggest that this is a case where once again gender mainstreaming is championed by UN agencies and other humanitarian relief organizations, but in practice this mainstreaming too often stays at the level of rhetoric or of policy and planning without real implementation on the ground," (Freedman et al. 2017, pg. 3). This issue, if it remains unaddressed by international policy actors, will result in the continued sidelining of SGBV, its survivors, and the very real impacts that it exacts on individuals and communities.

Although the initiatives highlighted in the case studies in chapter six are incredibly helpful work that is taking a major step in the right direction, these smaller-scale, interpersonal interventions, "fall short from effectively influencing a change," and the efforts should be instead

focused on “challenging existing power dynamics and urged organizations to look at structural determinants that contribute to SGBV during forced displacement, such as lack of employment, dire economic situation, as well as security and protection concerns,” (Roupetz et al. 2020, pg. 11-12). This, however, reinforced another issue that has been touched upon in this piece: the lack of enforcement at the international level and the significant responsibility placed on states who do not have the capacity or will to effectively prevent and/or protect refugees from SGBV. The result is the current toothless UN and its Conventions, unwilling state action, and patchwork of NGOs and charities attempting to step into the role of interlocutor between these disparate parties. Who remains largely excluded from this dialogue? The survivors of SGBV themselves. With nearly no legal recourse and few options for protection, those who face the greatest impact of these policies and programs have only the smallest voice at the table.

The following recommendations are split into two categories: recommendations for improvement of the international refugee policy framework, which focuses more on the international organization and legal aspects of this issue, followed by recommendations for improvements to the institutions and programs that are in place to support refugees, which takes a more on-the-ground approach to improving this issue. The recommendations are in order from most to least ambitious, or alternatively: from least to most likely to occur.

## 7.2: Recommendations for Improvement to Refugee Policy

### *Recommendation one: Implement a 2022 update on the Convention Concerning the Protection of Refugees*

The first recommendation, which is both the simplest and most ambitious, is to improve the current international policy scheme regarding refugee protection from SGBV by adding an



additional protocol—similar to the 1967 Protocol— to include sexual orientation and gender identity as a basis for persecution, which would allow refugees to point towards SGBV as a valid reason for claiming refugee status. It must be recognized that this recommendation is extremely aspirational and is incredibly unlikely to garner enough support to enact, but it is nonetheless the most direct solution to the foundational policy issues in the realm of refugee policy and SGBV, and this paper would be remiss not to at least consider it in its policy suite. This change would ensure that survivors of SGBV have a route through which to access the legal protection that goes along with refugee status, which is currently not an option. A more aggressive addition would be to add some sort of enforcement mechanism to the Convention to ensure compliance with the grounds of the Convention, but this would require essentially an entirely new Convention. The Convention could *possibly* be replaced entirely, but given the rise in right-wing populism across Europe and North and South America and increase in anti-refugee sentiments, it is unlikely that there would be widespread support for a new document that offers refugees more avenues for legal protection and holds states accountable to their obligations to international law.

*Recommendation two: Develop proportional burden-sharing between major host and non-host countries*

There have long been calls on the international political system to entrench a more robust norm of refugee burden-sharing and replace the rather weak form of the norm that is in place now. Proportional burden-sharing in the refugee context is an idea that was developed in the late 1990s in response to major forced migration in Eastern Europe and Central Africa. The concept is composed of two main elements:

“First, a group of states would agree to observe a strong norm of proportional burden-sharing for refugees, would seek to induce other states to join the group, and

would arrange for an existing or newly-established international agency to assign to each participating state a refugee protection quota. A state's quota would commit it to assure temporary protection or permanent resettlement for a certain number of refugees over a certain time period. Second, the participating states would then be permitted to trade their quotas by paying others to fulfill their obligations.” (Schuck 1997, pg. 248).

An entrenchment of this norm would serve several purposes, including alleviating overburdened states and better connecting refugees in need, such as those who have survived SGBV and are in need of specific services, with nations that are able to provide these services. Currently, the GCR, developed in 2018, has been a major step towards establishing burden-sharing as a central norm in the global refugee system. However, this declaration is not legally binding and instead serves to demonstrate the political will for the development of a burden-sharing system. This recommendation holds that using this political will, a legally binding norm of proportional burden-sharing could be established. This norm would complement the current abilities of the UN—that is, its role as a coordinator of services, rather than that of a provider. This would also serve to better leverage the wealth and resources of nations that find themselves further from today’s main sources of conflict, such as North America.

*Recommendation three: Improve collaboration between major host countries, IOs, and aid-providing nations, particularly regarding services offered to refugees*

Today’s most major host countries for refugees (Turkey, Uganda, etc.) are by no means the richest or most resource-heavy countries in the world—in some cases, like Pakistan, they are also dealing with their own internal or external conflicts while trying to play host to millions of displaced people. Despite these challenges, given their location and their neighbours, these countries will likely continue to host millions of refugees in the years to come, which demands a

dedicated look at how to improve the material conditions for refugees in these countries. This improved collaboration can take many forms, but its essence is simple: ensure greater resources provided to countries like Turkey and Uganda in order to best provide for the millions of refugees living within its borders. Although this general concept is already captured in the GCR, it is currently not legally binding, and thus this recommendation holds that this improvement take the form of a legal agreement between nations. This support can take many forms, but a particularly intense need for many refugees, especially those who are survivors of SGBV, is the need for increased support services, such as medical and mental health, crisis support, counseling, and capacity-building programs. Countries, like Canada or the United Kingdom, who take on a relatively small proportion of the world's refugees and are wealthy, aid-providing countries, could focus their international aid efforts on providing greater support for these essential programs on the ground, either through the UN or in the form of direct aid to the major host countries. The importance of these support services to survivors of SGBV cannot be understated, and thus the future of refugee policy must focus greater attention on this form of collaboration.

*Recommendation four: Create a Special Rapporteur on SGBV against Refugees*

The creation of the Special Rapporteur on Sexual Violence in Conflict following a UNSC Resolution was a major step forward in the UN's ability to track violations of international human rights and monitor the implementation of measures aimed at preventing these violations. In order to gain a better understanding of the incidence of SGBV in refugee communities, including areas and situations of vulnerability, the UN must create a Special Rapporteur on SGBV against Refugees, given the unique characteristics of this population and this type of violence. This recommendation would allow the UN to have accurate, up-to-date data on

violations, regional concentrations, perpetrators, and host country efforts to protect refugees and bring aggressors to justice. This data would allow not only the UN to better curate its field efforts to curb this violence, but would also be an invaluable resource to the patchwork of other NGOs operating in this space.

It must be noted that these recommendations, though they would likely be effective if implemented, are incredibly aspirational and may not find the purchase they need in today's international arena. Thus, in the interest of utility, recommendations of a smaller scale will be offered in the subsequent section, focusing on building off the current work of organizations and nations operating in the SGBV/refugee space.

### 7.3: Recommendations for Improvement to Refugee Programming

*Recommendation five: Ensure safe and secure accommodations, both camp and urban/informal, at all stages of the forced migratory journey*

A major source of insecurity and violence for refugees, including SGBV, was the accommodations they found themselves in along their journey and the settlements in which they landed at the terminus of their migration. The basic vulnerability of life in a refugee settlement can be describe in the following: “Many newly arrived women and girls are living in unplanned and overcrowded refugee settlements, with minimal privacy and compromised safety, particularly among those refugee populations inhabiting abandoned public buildings,” (Anani 2013, pg. 76). This compromise in safety can often lead to an increased threat or incidence of SGBV, further victimizing already vulnerable populations. Settlement-facilitating organizations, like the UN, must take all available measures to improve the safety and security of all populations in camps, with special attention paid to the groups that are at higher risk for victimization—women, children, disabled refugees, elderly, LGBTQ+ and gender non-

conforming refugees, etc. These efforts can include the small-scale initiatives outlined in the case studies in this paper; safe spaces for women to shower, Zero Tolerance Villages, among others. These efforts could also include more innovative, large-scale efforts: novel camp planning or reorganization that prioritizes safety and community and centrally locates and lights sources of insecurity, like hygiene facilities; creating organization-community coalitions to develop safety protocols within a camp or settlement setting; or ensuring well-established migration routes are monitored and protected, rather than shut down, to progress towards safer forced migration journeys.

*Recommendation six: Guarantee survivors access to essential and adequate services*

Following violence of any kind, but particularly SGBV, it is essential that survivors have access to various support services that can be the difference between surviving and thriving. Refugees are often a hard-to-serve population, due to a variety of factors, including fear of retribution, possible transient living situations, lack of citizenship or legal documentation, or language barriers. This challenge once again draws on the coordination ability of the UN, host nations, and other NGOs to collaborate to ensure survivors access to essential services, like medical clinics, mental health services, counseling services, and support around access to the criminal justice system. An organization like the Red Cross/Red Crescent, given their experience in responding to health needs globally, would be well-suited to lead on the provision of medical clinics and mental health services (Bjekić et al. 2019, pg. 1). Following the ignition of the Syrian Civil War, one researcher called on the humanitarian agencies to, “[B]uild the capacity of care providers in clinical care for survivors of sexual assault, gender-based violence case

management, and caring for child survivors,” a recommendation that is echoed here in this paper nearly a decade later (Anani 2013, pg. 78).

*Recommendation seven: Creation of a survivor support network*

Finally, the least ambitious but perhaps most likely and potentially useful recommendation is to establish a broad network of survivors, either virtually or regionally, in order to link survivors that are seeking connection with support, services, and others who understand their situation. This is already happening in smaller scales, within individual camps and communities, such as MOHRAU, to incredibly successful ends. Expanding this approach could lead to a larger-scale replication of the success of MOHRAU: encouraging activism, seeking justice, providing an outlet for healing, and developing deep bonds with fellow survivors. Such a network would also be an excellent locus for the right organizations; by having a central (if virtual) location that draws survivors, they may be better able to connect those in need with the most effective services, which would have a net positive effect on both survivors and organizations. Alternatively, this solution could take a mobile approach and develop a regional network by moving throughout refugee settlements in a specific area to deliver services. Additionally, this networked approach may also offer survivors a chance to find comfort in sharing their stories, either themselves or through confidential forums, and, if there is eventually an opportunity, be able to make the decision to testify in a legal process against perpetrators. Like the maxim, “there is strength in numbers,” a network like this may encourage survivors to come forward and seek justice, which would have a profoundly positive effect on not only the survivors and their communities, but on the international refugee policy scheme as a whole, by setting legal standards, holding perpetrators to account, and supporting the establishment of international norms around the protection of refugees.

## Chapter Eight: Conclusion

This major research paper has attempted to understand the reality of SGBV in refugee populations, identify the gap that exists between the current policies (and certain programs) in place and their ability to protect refugees and prevent instances of SGBV, and provide possible ways forward to remedy any potential gaps in this system. The research questions that guided this analysis were: What are the current policies in place and related programs that are aimed at addressing the response and prevention of SGBV in refugee communities? Are these policies and several programs effective at responding to and preventing instances of SGBV? What changes need to be made in order to improve their response and prevention of cases of SGBV and better protect vulnerable refugees? In pursuit of an answer for these questions, this paper employed a critical feminist approach to understanding SGBV and forced migration. Beginning with a literature review on forced migration and SGBV, this paper then moved into an overview and analysis of the current policy framework and related programs in place to prevent and protect refugees from SGBV (and its gaps), following with two case studies, one in Northern Uganda and one regarding Syrian refugees in Europe, before concluding with a brief discussion and several recommendations.

There is unlikely to be a slowing of refugees in the world; with the American withdrawal from Afghanistan and the current Russian war in Ukraine, 2022 looks like an acceleration of the ongoing forced migration trends. This reality reinforces the urgent need to bolster protections for all refugees, and survivors of SGBV in particular, given their increased vulnerability. It is imperative to develop an updated understanding of who constitutes a refugee, moving beyond remaining Eurocentric understandings that still permeates the field today. It is also essential that all organizations and host countries active in this area develop a robust understanding of SGBV,

coming to understand that it is a violence that has victims of all identities and ultimately thrives under the permissive eyes of patriarchy. Without this shift, and without urgency, refugees will continue to face inordinate threats of SGBV and survivors will continue to navigate a system that has little for them by way of services, support, or justice.

There are numerous future areas for research and programming, both at the international and local levels. The danger posed to migrants along their journey is vast, and given the uneven nature of most forced migration, it is challenging to know where and how this violence can be intervened. Such research would allow NGOs and host governments to know where their presence may have the most impact in interrupting violence and preventing violence of all forms, including SGBV. Within refugee camps, there often arise unique judicial networks, which can offer alternative forms of justice to survivors, a potential research avenue that would provide an alternative understanding of justice post-SGBV. This research focused on only two case studies, but in refugee situations globally, there are refugees at risk or surviving SGBV, an understanding of which would both support the prevention of future victimization and possibly provide survivors with recourse or justice. This paper also focused almost exclusively on refugees from conflict or political repression, but with ever-evolving push factors forcing people from their homes, a future direction in research could take on the unique forms of SGBV that surely affect economic refugees, labour migrants, and, one of the greatest issues of our time, environmental refugees.

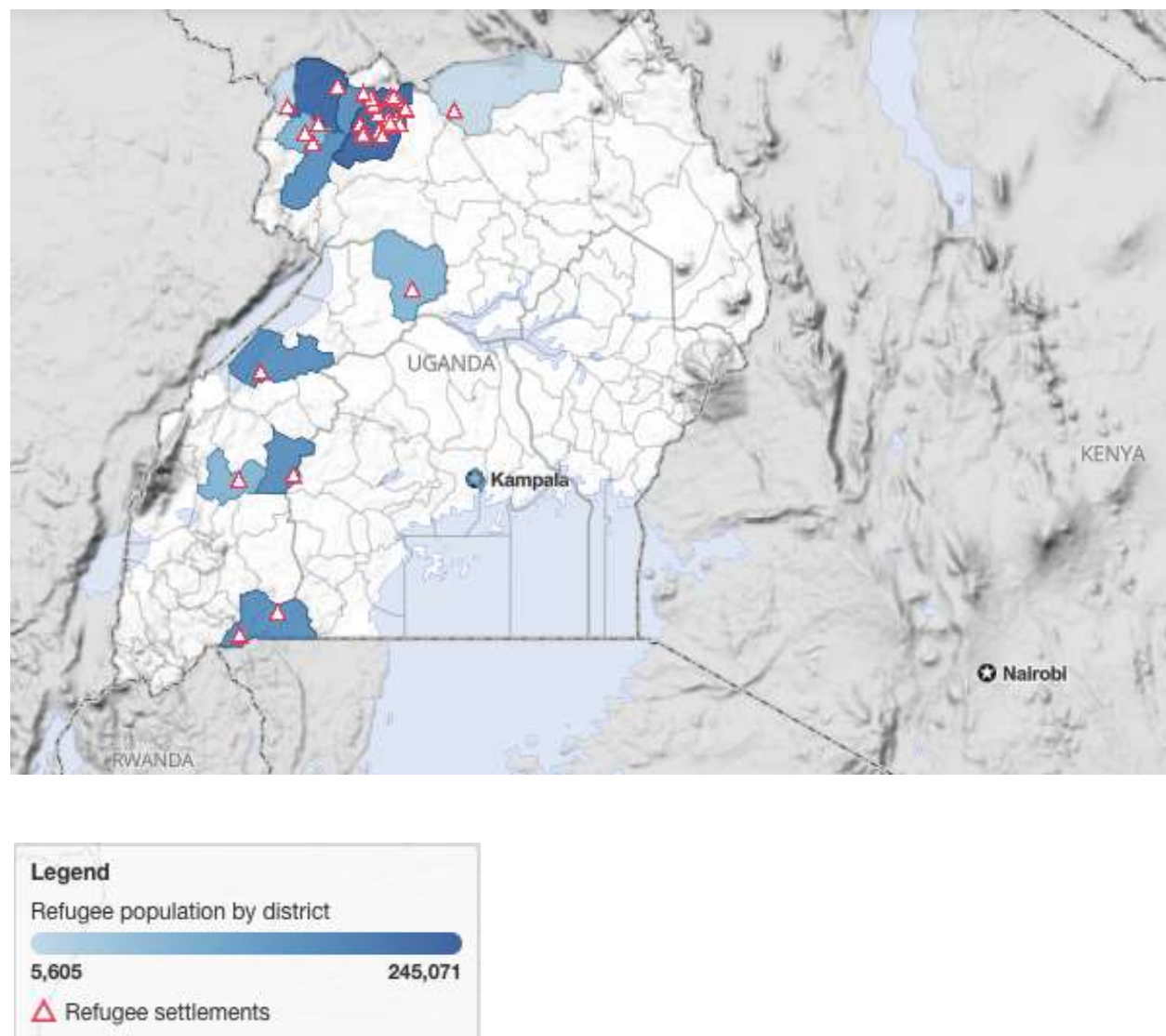
The complexities that surround this issue are numerous, and the impacts caused by SGBV are immense, but these facts should not cause the international community to lean away from the issue. Instead, these factors should pull the international community in, demand its attention, and force those nations that have become complacent in their position in the world to re-examine the



hierarchy upon which they sit. Forced migration is not an issue that has a single durable solution, for since there have been humans, there has been conflict, and with that conflict, there has been a force pushing individuals and communities to migrate. However, as the world becomes increasingly interconnected and globalized, and the threats we face, like climate change, grow in scope so as to engulf not just one country, but each and every one, there must a collective effort by all countries, organizations, and actors in the international community to come together and provide effective solutions to all.

## List of Figures

Figure 1: Refugee population by district in Uganda, 2022



Source: Office of the Prime Minister, UNHCR, and Government of Uganda.

Figure 2: Mediterranean Refugee Arrival Situation, 2022



Source: UNHCR Regional Bureau for Europe 2022

Figure 3: Arrivals in Mediterranean Europe from Jan 2021-Mar 2022

Country of origin	Source	Data date	Population	
Tunisia		31 Mar 2022	20.2%	16,589
Egypt		31 Mar 2022	12.5%	10,275
Bangladesh		31 Mar 2022	11.1%	9,124
Syrian Arab Rep.		31 Mar 2022	6.5%	5,330
Côte d'Ivoire		31 Mar 2022	5.4%	4,425
Iran (Islamic Rep. of)		31 Mar 2022	5.0%	4,109
Afghanistan		31 Mar 2022	4.5%	3,666
Iraq		31 Mar 2022	3.6%	2,999
Eritrea		31 Mar 2022	3.6%	2,959
Guinea		31 Mar 2022	3.4%	2,787

Source: UNHCR Regional Bureau for Europe 2022

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